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BIRCH, STEWART, KOLASCH & BIRCH, LLP

PLEASE NOTE: YOU MUST COMPLETE THE **FOLLOWING**

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COMBINED DECLARATION AND POWER OF ATTORNEY FOR PATENT AND DESIGN APPLICATIONS

As a below named inventor, I hereby declare that my residence, post office address and citizenship are as stated next to my name; that I verily believe that I am the original, first and sole inventor (if only one inventor is named below) or an original, first and joint inventor (if plural inventors are named below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

DATA COMMUNICATION APPARATUS, INTERMITTENT COMMUNICATION METHOD THEREFOR, PROGRAM DESCRIBING THE METHOD AND

RECORDING MEDIUM FOR RECORDING THE PROGRAM Insert Title: the specification of which is attached hereto. If not attached hereto, Fill in Appropriate the specification was filed on Information -United States Application Number For Use Without Specification and amended on. (if applicable) and/or the specification was filed on July 30, 2003 Attached: International Application Number PCT/JP03/09689 ; and was amended on January 09, 2004 (if applicable)

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as

amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal

Regulations, §1.56. I do not know and do not believe the same was ever known or used in the United States of America before my or our invention thereof, or patented or described in any printed publication in any country before my or our invention thereof or more than one

	prior to this applicat date of this applicat representative or ass patent or inventor's c application by me or I hereby claim for inventor's certifica	ion, that the invertion in any countigns more than the certificate on this my legal represer oreign priority be te listed below an	same was not in public ntion has not been paten tirry foreign to the Unit welve months (six monti invention has been filed tatives or assigns, except mefits under Title 35, Und have also identified be on on which priority is clean	ted or made the ed States of Ar ns for designs) j in any country as follows. ited States Code low any foreign	subject of an inventor nerica on an application prior to this application foreign to the United S p. \$119(a)-(d) of any fo	r's certificate issu- tion filed by me on, and that no a States of America reign application	ed before the or my legal pplication for prior to this (s) for patent	
	Prior Foreign Appl		Priority Claimed					
Insert Priority Information:	2002-223799	Japan		July/31/2	002	Ø		
(if appropriate)	(Number)	(Country)		(Month/Da	y/Year Filed)	Yes	No	
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	(Number)	(Country)		(Month/Da	y/Year Filed)	Yes	No	
	(Number)	(Country)	<u> </u>	(Month/Da	y/Year Filed)	□ Yes	□ No	
Insert Provisional Application(s): (if any)	(Application Number) (Application Number) All Foreign Applications, if any, for any Patent or Inventor's C the Filing Date of This Application:			(Filing Date) (Filing Date) Certificate Filed More than 12 Months (6 Months for Designs) Prior to				
	Country Application Number			Date of Filing (Month/Day/Year)				
Insert Requested Information: (if appropriate)				,				
	insofar as the subject application in the ma information which is	t matter of each nner provided by material to the pa	5, United States Code, §1 of the claims of this ap the first paragraph of Tatentability as defined in blication and the national	oplication is not tile 35, United S Title 37, Code o	t disclosed in the pric tates Code, §112, I ack of Federal Regulations,	or United States knowledge the di , §1.56 which bec	and/or PCT and/or PCT	
Insert Prior U.S.								
Application(s): (if any)	(Application Number	tion Number) (Filing Date)			(Status - patented, pending, abandoned)			
Page 1 of 2 (Rev. 12/19/01)	(Application Number	r)	(Filing Date)		(Status - patented, pe	ending, abandon	ed)	

Attorney Docket No. 1152-0316PUS1

I hereby appoint the practitioners at **CUSTOMER NO. 2292** as my attorneys or agents to prosecute this application and/or an international application based on this application and to transact all business in the United States Patent and Trademark Office connected therewith and in connection with the resulting patent based on instructions received from the entity who first sent the application papers to the practitioners, unless the inventor(s) or assignee provides said practitioners with a written notice to the contrary:

Send Correspondence to:

BIRCH, STEWART, KOLASCH & BIRCH, LLP or CUSTOMER NO. 2292

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I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

all Name of First or Sole Inventor: sert Name of	GIVEN NAME/FAMILY NAME	INVENTOR'S SIGNATURE		DATE*	200E				
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